

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed October 6, 2006. The Examiner is thanked for the thorough examination of the present application. Upon entry of this response, the specification is objected to because of various informalities. The claims are also objected to because of various informalities. Finally, claims 1-28 are rejected as allegedly being directed to non-statutory subject matter. Applicants have amended claims 1, 5, 8, 10, 15, 19 and 22 and respectfully request consideration of the following remarks contained herein. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Objection to the Specification**

The specification has been amended to include a "BRIEF DESCRIPTION OF THE DRAWINGS" section as indicated above. Applicants respectfully request that the objection to the specification be withdrawn.

### **II. Response to Claim Objections**

Claims 5, 8, 10-14, 19 and 22 are objected to because of various informalities. Specifically, the Office Action states the following:

*In claim 5, line 1 "Claim 1" should be "Claim 4."*

*In claim 8, line 1 "Claim 1" should be "Claim 7."*

*In claim 10, line 1 "Claim 7" should be "Claim 9." Claims 11-14 are objected to because they are either directly or indirectly depended upon claim 10.*

*In claim 19, line 1 "Claim 15" should be "Claim 18."*

*In claim 22, line 1 "Claim 15" should be "Claim 21."*

(Office Action, pg. 3) Applicants have amended the claims as indicated above.

Accordingly, Applicants respectfully request that the objection to these claims be withdrawn.

## **II. Response to Claim Rejections Under 35 U.S.C. § 101**

Claims 1-28 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Specifically, the Office Action alleges that *"independent claims 1 and 15 are directly related to non-statutory algorithm of an equation for calculating a power spectral density (PSD) mask for spectral shaping of a dual bit map (DBM) mode downstream transmission and an equation for calculating a power spectral density (PSD) mask for spectral shaping of a far end cross talk (FEXT) bit map (FBM) mode downstream transmission."* (Office Action, pg. 3-4)

Applicants have amended independent claims 1 and 15 and submit that claims 1-28 now comply with 35 U.S.C. §101. Accordingly, Applicants respectfully request that the §101 rejection be withdrawn.

## **III. Prior Art Made of Record**

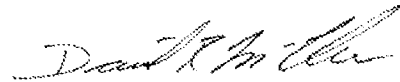
The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

**CONCLUSION**

Applicants respectfully submit that all pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,



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